

In the Matter Of:

LAURIE ORTOLANO vs

CITY OF NASHUA

MICHAEL CARIGNAN

April 19, 2024

Duffy & McKenna Court Reporters, LLC



P.O. Box 1658 Dover, NH 03821

1-800-600-1000

603-743-4949 | 603-743-4952 (fax)

www.dmreporting.com

dmreporting@stenosearch.com (Scheduling)
camille@stenosearch.com (Billing/Production)

OUT-OF-TOWN DEPOSITIONS?



WWW.DEPOSPAN.COM

Duffy & McKenna
Court Reporters, LLC

DEPOSPAN'S TRUSTED LOCAL CONNECTION

MICHAEL CARIGNAN

14..17

<p style="text-align: right;">Page 14</p> <p>1 on, okay?</p> <p>2 MR. CULLEN: Sure. I believe I have</p> <p>3 those here.</p> <p>4 MR. MALAGUTI: I know you produced them</p> <p>5 because I had pulled them down, and I just can't</p> <p>6 get access to them, so. Thank you.</p> <p>7 BY MR. MALAGUTI:</p> <p>8 Q. Okay. So, Mr. Carignan, I can't see</p> <p>9 the document that you're looking at, but I believe</p> <p>10 it's from -- is it from June of 2019, somewhere in</p> <p>11 that area?</p> <p>12 A. Yes, June 26, 2019.</p> <p>13 Q. And could you describe that document to</p> <p>14 us, please.</p> <p>15 A. Sure. It's a -- as you stated, it's a</p> <p>16 supplemental document, meaning a supplemental</p> <p>17 report to a larger report that just indicates</p> <p>18 something that happened within that case. It was a</p> <p>19 report written by Captain John Lehto, based on a</p> <p>20 meeting that I had with him attending a meeting at</p> <p>21 City Hall.</p> <p>22 Q. Now, this is in regard to an</p> <p>23 investigation that would eventually be done by the</p> <p>24 Nashua Police Department regarding the Nashua</p> <p>25 Assessing Department, right?</p>	<p style="text-align: right;">Page 15</p> <p>1 A. Correct, yes, sir.</p> <p>2 Q. And it's fair to say if that was</p> <p>3 brought to your attention by a woman named Laurie</p> <p>4 Ortolano and perhaps another woman with her named</p> <p>5 Laura -- I believe it's pronounced Colquhoun?</p> <p>6 A. Correct.</p> <p>7 MR. MALAGUTI: And if someone knows</p> <p>8 better than me, I'm going to make an attempt at</p> <p>9 spelling Colquhoun for the stenographer. I</p> <p>10 believe it's C-O-L-Q-U-H-O-U-N. Does that sound</p> <p>11 right, if you can find it somewhere?</p> <p>12 MR. CULLEN: That appears to be</p> <p>13 correct.</p> <p>14 MS. ORTOLANO: It's C-A-L,</p> <p>15 C-A-L-Q-U-H-U-O-N (sic).</p> <p>16 MR. MALAGUTI: C-A-L. Okay. Thank</p> <p>17 you, Laurie.</p> <p>18 BY MR. MALAGUTI:</p> <p>19 Q. You just came into a different view, so</p> <p>20 you're still there. My apologies. You bounced</p> <p>21 down on the screen.</p> <p>22 Do you have a recollection,</p> <p>23 Mr. Carignan, about your meeting with what I'll</p> <p>24 call the two Laurie and Laura?</p> <p>25 A. The meeting with Laurie and Laura, I</p>
<p style="text-align: right;">Page 16</p> <p>1 didn't have any specific memory of that meeting. I</p> <p>2 know I've spoken to Laurie several times.</p> <p>3 Q. When is the first time you ever spoke</p> <p>4 with Laurie?</p> <p>5 A. I'll be honest, I'm not sure. We've</p> <p>6 had several conversations. So -- go ahead.</p> <p>7 Q. Let me put them chronologically. Did</p> <p>8 you have conversations with her prior to</p> <p>9 discussing the investigation into the Nashua</p> <p>10 Assessing Department?</p> <p>11 A. Yes.</p> <p>12 Q. In what forum would these conversations</p> <p>13 occur?</p> <p>14 A. Well, so, again, we had several</p> <p>15 conversations, some we had seen each other at City</p> <p>16 Hall a couple of times over some different issues,</p> <p>17 but she came to me to the police department to</p> <p>18 speak to me about her concerns with those</p> <p>19 allegations.</p> <p>20 Q. So the meeting about the Nashua</p> <p>21 Assessing Department was a face-to-face meeting at</p> <p>22 the police department?</p> <p>23 A. I believe so, yes.</p> <p>24 Q. Was it just a conversation or did it</p> <p>25 involve her showing you documents?</p>	<p style="text-align: right;">Page 17</p> <p>1 A. I believe she showed us some documents.</p> <p>2 Again, we had several meetings, I apologize if the</p> <p>3 chronology is not right, but Laurie had excellent</p> <p>4 documentation as to her allegations and her</p> <p>5 concerns.</p> <p>6 Q. At some point did she give police</p> <p>7 officers some documentation that they retained?</p> <p>8 A. Yes.</p> <p>9 Q. And how soon after you first met with</p> <p>10 Laurie at the police department to discuss these</p> <p>11 allegations did you end up going over to the</p> <p>12 mayor's office for the meeting that was documented</p> <p>13 in Exhibit 1?</p> <p>14 A. I don't exactly remember the day she</p> <p>15 came over, so I can't give you an exact time, but</p> <p>16 it would be within a couple of days. It was -- we</p> <p>17 took it seriously, and we would have gone over</p> <p>18 pretty quickly to start looking into it.</p> <p>19 Q. At that point when she contacted you,</p> <p>20 would you say that you were in charge of the</p> <p>21 matter?</p> <p>22 A. The allegations came to me and I</p> <p>23 directed it to go towards the detective bureau, so,</p> <p>24 yes. In charge of assigning it, yes. In charge of</p> <p>25 handling it, no.</p>

MICHAEL CARIGNAN

30..33

<p style="text-align: right;">Page 30</p> <p>1 topics we would talk about.</p> <p>2 Q. And when you say the relationship,</p> <p>3 you're referring, of course, to your city business</p> <p>4 relationship?</p> <p>5 A. Correct.</p> <p>6 Q. Okay.</p> <p>7 A. Correct.</p> <p>8 Q. How long had you known Kim Kleiner</p> <p>9 before June 26, 2019?</p> <p>10 A. I can't remember if I met her as a</p> <p>11 captain or a deputy chief. I was pretty active in</p> <p>12 community activities, I felt that was important, so</p> <p>13 it was -- we did a lot of work with the Arlington</p> <p>14 Street Community Center, and that's when I really</p> <p>15 got to know her well, which would have been as a</p> <p>16 deputy chief, so 2016 to 2019, roughly.</p> <p>17 Q. And the Arlington Street Community</p> <p>18 Center is some type of charitable organization, I</p> <p>19 gather?</p> <p>20 A. Well, it's a city-owned property that</p> <p>21 we opened -- we opened a community center out of.</p> <p>22 Q. Okay. And how long have you known the</p> <p>23 mayor, James Donchess?</p> <p>24 A. I've known him since he was sworn in as</p> <p>25 mayor, so --</p>	<p style="text-align: right;">Page 31</p> <p>1 Q. The first time or the second time?</p> <p>2 A. No. No, the second time. Well, the</p> <p>3 second set of times. I don't -- we may have had</p> <p>4 some interactions when he was a union</p> <p>5 representative, but I don't -- I don't remember</p> <p>6 having enough interaction to say I knew him,</p> <p>7 because I was never the union steward.</p> <p>8 Q. Now, Mayor Donchess was at one point a</p> <p>9 union representative?</p> <p>10 A. Yes, he was, he represented the</p> <p>11 Patrolmen's Union.</p> <p>12 Q. He represented the Patrolmen's Union as</p> <p>13 an attorney, am I --</p> <p>14 A. Correct. For the collective</p> <p>15 bargaining, yes.</p> <p>16 Q. So he was not a patrolman or an</p> <p>17 employee at any time of the Nashua --</p> <p>18 A. No, no, no.</p> <p>19 Q. Okay.</p> <p>20 A. He was not.</p> <p>21 Q. And when would this have been, the</p> <p>22 early aughts, the early 2000s, or before then?</p> <p>23 A. No, it might have been right around</p> <p>24 those times. I don't remember when he started as</p> <p>25 the union representative, as the attorney</p>
<p style="text-align: right;">Page 32</p> <p>1 representing the union. It was a good chunk of his</p> <p>2 non-political time, if that answers your question.</p> <p>3 So he's been consistently a part of</p> <p>4 collective bargaining for the police department for</p> <p>5 a majority of the time that I've been there, I was</p> <p>6 there.</p> <p>7 Q. And did you ever have a social</p> <p>8 relationship with the mayor, a non-business</p> <p>9 relationship?</p> <p>10 A. No, I did not.</p> <p>11 Q. Never went out to dinner with him and</p> <p>12 his wife or anything of the like?</p> <p>13 A. No.</p> <p>14 Q. And Ms. Kleiner, did you ever have a</p> <p>15 social relationship with Ms. Kleiner?</p> <p>16 A. No.</p> <p>17 Q. Okay. So what time was the meeting</p> <p>18 convened on June 26th, 2019?</p> <p>19 A. According to the report, it's 9:00 in</p> <p>20 the morning.</p> <p>21 Q. And who was present?</p> <p>22 A. Myself, Captain John Lehto, Mayor</p> <p>23 Donchess, and Kim Kleiner.</p> <p>24 Q. And did this take place in the mayor's</p> <p>25 conference room?</p>	<p style="text-align: right;">Page 33</p> <p>1 A. Yes.</p> <p>2 Q. And I'm going to ask you to remember</p> <p>3 what was said during that meeting, and I'll</p> <p>4 probably just go person by person as to, you know,</p> <p>5 who said what. What did you say at the meeting?</p> <p>6 A. So the purpose of the meeting and what</p> <p>7 I said was informing the mayor that there was a</p> <p>8 criminal complaint alleged against employees at</p> <p>9 City Hall, and that we would be investigating the</p> <p>10 case, and we would be conducting an investigation,</p> <p>11 or detectives from the Nashua Police Department</p> <p>12 would be conducting an investigation into those</p> <p>13 allegations and we would be speaking with multiple</p> <p>14 employees at City Hall.</p> <p>15 Q. Did you say anything else that you</p> <p>16 remember?</p> <p>17 A. No.</p> <p>18 Q. And when you said -- when you described</p> <p>19 the criminal investigation, did you describe the</p> <p>20 types of allegations that had been made?</p> <p>21 A. No, we tried to keep all -- all those</p> <p>22 facts to really a minimum. It wasn't his business</p> <p>23 what we were investigating. Him and Kim were both</p> <p>24 well aware of what they were, they had been told of</p> <p>25 the allegations that were made or they had found</p>

MICHAEL CARIGNAN

38..41

<p style="text-align: right;">Page 38</p> <p>1 Q. Larry. Am I pronouncing his last name 2 correctly? 3 A. Yes. 4 Q. Did anyone tell you that Mr. Budreau 5 had already interviewed some of the assessors? 6 A. I don't remember that, but according to 7 the report, he had already interviewed several 8 employees. 9 Q. I don't have the report in front of me. 10 Does the report name the people who were 11 interviewed? 12 A. According to the report it said Greg 13 Turgiss had already been interviewed by director of 14 human resources, Larry Budreau. 15 Q. Did you know Greg Turgiss from before 16 this? 17 A. I did not. 18 Q. Did you know Gary Turgiss from before 19 this? 20 A. I did not. 21 Q. And we've already talked about Kim 22 Kleiner. Okay. Do you remember Ms. Kleiner 23 saying anything about the city providing full 24 support as needed, or anything to that effect? 25 A. No. I mean, my recollection is that</p>	<p style="text-align: right;">Page 39</p> <p>1 both she and the mayor said they understood. They 2 said they welcomed an investigation and we would 3 get cooperation. 4 Q. Okay. And do you remember anything 5 that the mayor said? I know you relayed a couple 6 of instances where you couldn't remember if it was 7 the mayor or Kleiner, so I'm asking for additional 8 statements that you can remember above and beyond 9 those. 10 A. No, that's it. 11 Q. And how did the meeting end? Did 12 someone give instructions, or did someone say 13 time's up? Or if you recall, how did it end? 14 A. No, it just -- it was pretty obvious 15 that the topic of discussion was over, so we just 16 said goodbyes. 17 Q. And do you remember how long the 18 meeting lasted for? I think you said it began at 19 9:00. Do you remember what time you got out? 20 A. I don't. It was a fairly short 21 meeting. Our purpose was not to talk about 22 anything other than this. 23 Q. Short as in less than a half an hour, 24 short as in less than 15 minutes, can you 25 estimate? If you have no memory, that's fine.</p>
<p style="text-align: right;">Page 40</p> <p>1 A. No, if I had to estimate, I'd say 2 between 15 minutes and a half an hour. 3 Q. And when you left the meeting, did you 4 and Captain Lehto continue to talk about what 5 transpired in the meeting? 6 A. No. If I remember the conversation was 7 more who it was going to be assigned to, and just 8 to make sure they did a thorough job. 9 Q. And when you talked about who it was 10 going to be assigned to, did you know at that 11 point that Lieutenant Mederos was going to be 12 assigned, or is that one of the people who -- that 13 Lehto mentioned to you? 14 A. So Lieutenant Mederos would be assigned 15 in the manner that it's an investigation being done 16 by the criminal investigation bureau. He was the 17 CID -- CIB lieutenant so it would flow to him to 18 pass down to the sergeant and the detectives. 19 Q. And at some point you came to 20 understand that Mederos and Lehto didn't do the 21 whole investigation themselves, they assigned it 22 downward? 23 A. Correct. 24 Q. Do you know who got the assignments? 25 A. Ultimately Frank Lombardi got it. I'm</p>	<p style="text-align: right;">Page 41</p> <p>1 sure he was assisted by other detectives, other -- 2 his supervisors, his sergeants would have been 3 involved as well, but he was the lead detective. 4 Q. And at the time his position was 5 detective? 6 A. Correct. 7 Q. And do you know how long after the 8 meeting the assignment to Detective Lombardi 9 occurred? 10 A. I don't. 11 Q. And you knew Detective Lombardi 12 previously of course from being in the same 13 department together? 14 A. Correct. 15 Q. And by the way, when the meeting 16 occurred, you were not yet chief, right? You were 17 deputy chief, is that right? 18 A. Correct. At the time the current 19 chief, Andrew Lavoie, was on what we call terminal 20 leave. He was on time off between the time of his 21 vacation time, unused vacation and sick time, and 22 the time of his retirement, so I was acting in the 23 role of -- still a deputy chief, but I was 24 acting -- I guess you call it acting chief. It 25 wasn't an official title.</p>